



**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION**

**GEORGE W. THOMAS, JR.,**

**Plaintiff,**

**v.**

**JANE DOE 1, *et al.*,**

**Defendants.**

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**CIVIL ACTION NO: 1:19-CV-196**

**ORDER ADOPTING REPORT AND RECOMMENDATION  
AND DISMISSING FOR WANT OF PROSECUTION**

In accordance with 28 U.S.C. § 636(b), the Local Rules for the United States District Court for the Eastern District of Texas, the District Court referred this matter to the undersigned for pre trial management and entry of recommended disposition. On May 4, 2020, Judge Giblin entered his report and recommendation (#6) recommending that the District Court *sua sponte* dismiss the Complaint for want of prosecution. The Court agrees with the magistrate judge's findings and conclusions and adopts the report and recommendation.

Plaintiff George W. Thomas, proceeding *pro se*, filed a motion for a new trial (#8), which the Court will interpret as his objection to the magistrate judge's report and recommendation.<sup>1</sup> The

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<sup>1</sup> The deadline to files an objection expired on May 21, 2020. Accordingly, Plaintiff's motion for a new trial would not be a timely objection, but because it is the only way in which Plaintiff responded to the report, the Court will nevertheless consider the motion.


Court has reviewed Plaintiff's objections, to the extent they exist, *de novo* in relation to the pleadings, the record, and the applicable law. *See* FED. R. CIV. P. 72(b); *see also* 28 U.S.C. § 636(b). After careful consideration, the Court concludes that the objections are without merit.

As an initial matter, the Court does not find that Plaintiff made a specific objection to any portion of the magistrate judge's report and recommendation. Indeed, the following is the entirety of Plaintiff's objection to the report and recommendation: "Petitioner is a U.S. Citizen and has the Right to be Heard. Plus I was denied Due Process and several constitutional and civil rights maybe because of the network of people involved." (#8). In his brief objection to the report and recommendation, Plaintiff does not address the magistrate judge's findings that he had failed to diligently prosecute his claim, and he presents no reasoning explaining his failure to continue litigating his case.

Based on Plaintiff's failure to properly object to the magistrate judge's report and recommendation, the Court adopts Judge Giblin's findings and legal conclusions as the findings and conclusions of the Court.

The Court therefore **ORDERS** that Judge Giblin's Report and Recommendation (#6) is adopted. It is further **ORDERED** that Plaintiff's complaint is **DISMISSED** *sua sponte*, without prejudice. Additionally, the Court **ORDERS** that the pending motion in this case (#8) is **DENIED** as moot. This case is **CLOSED**, and this constitutes a final judgment for appeal purposes.

SIGNED at Beaumont, Texas, this 15th day of July, 2020.



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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE